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BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION)	DOCKET NO.
On Its Own Motion)	12-0213
)	
)	
Implementation of Section)	
16-128A(a) of the Public Utilities)	
Act.)	

Springfield, Illinois
Monday, July 23, 2012

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

MR. JOHN L. SAGONE
Office of General Counsel
Illinois Commerce Commission
160 North LaSalle Street, Suite C-800
Chicago, Illinois 60601

(Appearing via teleconference on
behalf of Staff witnesses of the
Illinois Commerce Commission)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710

1 APPEARANCES: (Continued)

2 MR. EDWARD C. FITZHENRY
3 Managing Associate General Counsel
4 Ameren Illinois Company
5 d/b/a Ameren Illinois
6 1901 Chouteau Avenue
7 PO Box 66149 (M/C 1310)
8 St. Louis, Missouri 63166-6149

9 (Appearing via teleconference on
10 behalf of Ameren Illinois
11 Company)

12 MR. GRAHAM McCAHAN
13 Department of Law
14 City of Chicago
15 30 North LaSalle, Suite 900
16 Chicago, Illinois 60602-2580

17 (Appearing via teleconference on
18 behalf of the City of Chicago)

19 MR. STEPHEN R. THORN
20 THORN & ASSOCIATES, LLC
21 4255 North Whipple Street, Suite 3
22 Chicago, Illinois 60618

23 (Appearing via teleconference on
24 behalf of the Illinois Solar
25 Energy Association.)

26 MR. BRADLEY D. KLEIN
27 Senior Attorney
28 Environmental Law & Policy Center
29 35 East Wacker Drive, Suite 1600
30 Chicago, Illinois 60601

31 (Appearing via teleconference on
32 behalf of the Environmental Law
33 & Policy Center)

1 APPEARANCES: (Continued)

2 MS. ROCHELLE G. SKOLNICK
3 SCHUCHAT, COOK & WERNER
4 1221 Locust Street, 2nd Floor
5 St. Louis, Missouri 63103

6 (Appearing via teleconference on
7 behalf of IBEW Local 51)

8 MR. MICHAEL R. STRONG
9 Chief Legal Officer
10 Illinois Power Agency
11 160 North LaSalle Street, Suite N-506
12 Chicago, Illinois 60601

13 (Appearing via teleconference on
14 behalf of the Illinois Power
15 Agency)

16 MS. CATHY C. YU
17 Public Utilities Bureau
18 Illinois Attorney General's Office
19 100 West Randolph Street, 11th Floor
20 Chicago, Illinois 60601

21 (Appearing via teleconference on
22 behalf of the People of the
 State of Illinois)

23 MR. THEODORE T. EIDUKAS
24 FOLEY & LARDNER,LLP
25 321 North Clark Street, Suite 2800
26 Chicago, Illinois 60654

27 (Appearing via teleconference on
28 behalf of the Electronic
29 Technicians International
30 Association)

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3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	(None)				
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13		<u>EXHIBITS</u>			
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15				<u>MARKED</u>	<u>ADMITTED</u>
16	(None)				
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PROCEEDINGS

JUDGE ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 12-0213. This docket was initiated by the Commission on its own motion and concerns implementation of Section 16-128C(a) of the Public Utilities Act.

May I have the appearances for the record, please?

MR. SAGONE: On behalf of the Staff witnesses of the Illinois Commerce Commission, John Sagone, 160 North LaSalle Street, Suite C-800, Chicago 60601.

MR. FITZHENRY: Edward Fitzhenry with Ameren Illinois Company, 1901 Chouteau Avenue, St. Louis, Missouri 63103.

MR. STRONG: On behalf of the Illinois Power Agency, Michael Strong, 160 North LaSalle Street, Suite N-506, Chicago, Illinois 60601.

MS. YU: On behalf of the Office of the Illinois Attorney General, Cathy Yu, 100 West Randolph Street, Chicago, Illinois 60601.

MR. THORN: Stephen Thorn on behalf of the

1 Illinois Solar Energy Association, 4255 North
2 Whipple, that's W-H-I-P-P-L-E, Street, Suite 3,
3 Chicago, Illinois 60618.

4 MR. KLEIN: Brad Klein on behalf of the
5 Environmental Law and Policy Center, 35 East Wacker
6 Drive, Suite 1600, Chicago, Illinois 60601.

7 MR. McCAHAN: On behalf of the City of Chicago,
8 Graham McCahan, 30 North LaSalle, Suite 1400,
9 Chicago, Illinois 60602.

10 MR. EIDUKAS: On behalf of the Electronic
11 Technicians Association International, Theodore
12 Eidukas, spelled E-I-D-U-K-A-S, of Foley and Lardner,
13 L.L.P., 321 North Clark Street, Suite 2800, Chicago,
14 Illinois 60610.

15 MS. SKOLNICK: On behalf of International
16 Brotherhood of Electrical Workers Local 51, Rochelle
17 Skolnick, Schuchat, Cook and Werner, 1221 Locust
18 Street, Second Floor, St. Louis, Missouri 63103.

19 JUDGE ALBERS: Any others wishing to enter an
20 appearance?

21 MR. BRAMLET: Yeah, this is Eric Bramlet
22 appearing on behalf of Mt. Carmel Public Utility

1 Company. My mailing address is Post Office Box 278,
2 Mt. Carmel, Illinois 62863.

3 MS. HICKEY: Michelle Hickey for Illinois Solar
4 Energy Association, 1281 East Brummel Avenue, Elk
5 Grove Village, Illinois 60007.

6 JUDGE ALBERS: Any others?

7 (No response.)

8 All right. Let the record show no
9 response.

10 The only preliminary matter I have
11 today is the July 11 Petition to Intervene of the
12 Electronic Technicians Association International.
13 Any objections to that?

14 (No response.)

15 Hearing none, then it is granted.

16 Since we last -- I am sorry, did any
17 of you have any preliminary matters you would like to
18 raise?

19 (No response.)

20 All right. Moving on then, since we
21 last met I understand that there have been workshops
22 on June 28 and July 16, is that right?

1 MR. SAGONE: That's correct.

2 JUDGE ALBERS: And have the parties had
3 sufficient opportunity then to identify and discuss
4 the issues enough so that one of you or perhaps Staff
5 even could propose a rule with supporting testimony?

6 MR. SAGONE: Well, Judge, this is John Sagone.
7 I think we have got a basic structure of the rule
8 that does appear to be in place. The parties agreed,
9 though, that they wanted to have another workshop.
10 We had kind of a revised rule sent out July 12. We
11 had the workshop on July 16, and the parties agreed
12 that they wanted to have another workshop on July 30.

13 JUDGE ALBERS: Oh, okay.

14 MR. SAGONE: And that's -- there is a
15 possibility that we may want to have another workshop
16 after that, but I suspect that that may be the last
17 workshop. I think we are getting down to sort of the
18 main issues that have been identified and, you know,
19 what the positions are going to be.

20 JUDGE ALBERS: Well, let me ask you this then.
21 Did you contemplate getting like an agreed-to rule or
22 are you just trying to narrow things down at this

1 point?

2 MR. SAGONE: I think we are just trying to
3 narrow things down at this point.

4 JUDGE ALBERS: All right. So you still
5 anticipate some level of testimony and probably an
6 evidentiary hearing?

7 MR. SAGONE: Yes. And I haven't -- that hasn't
8 been discussed with the other parties, but my
9 suggestion would be to have another status probably
10 shortly after the workshop on July 30, assuming that
11 there is no further workshops after that. If the
12 parties do decide on the 30th, though, that they
13 would like to have maybe one more workshop, we could
14 always seek a continuance at that point. But at this
15 point I would suggest maybe that same week, maybe
16 later in that same week of July 30, perhaps we shoot
17 for a status. And assuming that there are going to
18 be no more workshops, we could possibly establish
19 some scheduling at that point.

20 JUDGE ALBERS: Okay. How about Thursday,
21 August 2?

22 MR. SAGONE: That would be fine with Staff. We

1 can go off the record for a minute while you folks
2 check your calendars.

3 (Whereupon there was then had an
4 off-the-record discussion.)

5 JUDGE ALBERS: Go back on the record then.

6 It looks like everyone is agreeable or
7 is available for a Thursday, August 2, status hearing
8 at ten o'clock.

9 I do have one other question for the
10 parties. Is the rule that you are working with, does
11 that reflect any of the other areas of Commission
12 authority enumerated in Section 16-128A(b)? And I am
13 not saying it should or has to. I am just wondering
14 if that's something that the Commission is going to
15 have to take up later or is it going to be addressed
16 in this rule. I have no opinion whatsoever at this
17 point in time.

18 MR. SAGONE: Yeah, I would say it does, Your
19 Honor.

20 JUDGE ALBERS: Okay. Well, that's good.

21 All right. Anything else for the
22 record today?

1 (No response.)

2 All right. Hearing not, if there is a
3 desire for a fourth workshop, I would just encourage
4 you all to do it fairly soon after the July 30
5 workshop. And if there is nothing further, then
6 thank you, everyone. We will continue this to August
7 2 at ten o'clock.

8 (Whereupon the hearing in this
9 matter was continued until
10 August 2, 2012, at 10:00 a.m. in
11 Springfield, Illinois.)
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